

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

**JUDITH WASS, individually and on behalf
of all others similarly situated,**

Plaintiff,

vs.

Case No. 6:13-CV-03267-JFM

DOLGEN CORP, LLC,

Defendant.

**PLAINTIFF'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF
IN SUPPORT OF PLAINTIFF'S MOTION FOR CONDITIONAL CLASS
CERTIFICATION**

COMES NOW, Plaintiff, through counsel, and moves this court for leave to file her Supplemental Brief in Support of Plaintiffs' Motion for Conditional Class Certification within 30 days from the date she receives Defendant's outstanding responses to Plaintiff's written discovery requests or within 30 days from the date of the deposition of Defendant's corporate representative, whichever is later. In support of her motion, Plaintiff states:

1. The discovery deadline in this case was March 24, 2014.
2. Plaintiff timely filed her Motion for Conditional Class Certification and Suggestions in Support Thereof on March 28, 2014.
3. On numerous occasions, the parties have diligently attempted to coordinate and schedule the deposition of a corporate representative of the Defendant; however, they have been unsuccessful in scheduling the deposition.
4. On March 21, 2014, Defendant informed Plaintiff that it could not produce a corporate representative until after April 2, 2014, which is after the close of discovery which is after the close of discovery and after Plaintiff's deadline to file her motion for conditional certification of a collective action.

5. Prior to the close of discovery, Plaintiff served one additional request for production of documents on Defendant, along with a motion to expedite Defendant's response time and motion for leave to serve additional requests for production. Plaintiff's motions have not been ruled upon and Defendant has not produced the requested documents.

6. Plaintiff has contemporaneously requested that the close of discovery be extended to a date to permit Plaintiff to obtain a response to her last request for production and to take the deposition of Defendant's corporate representative pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure.

7. Plaintiff respectfully requests 30 additional days from the date she receives Defendant's responses to Plaintiff's written discovery requests or 30 additional days from the date of the deposition of Defendant's corporate representative, whichever is later, in which to file Plaintiff's Supplemental Brief in Support of Plaintiff's Motion for Conditional Class Certification.

8. Just cause exists to permit Plaintiff to file their Supplemental Brief in Support of Plaintiff's Motion for Conditional Class Certification, specifically there exists outstanding discovery and the scheduling of the deposition of Defendant's corporate representative, both of which are necessary for the preparation of Plaintiff's case-in-chief.

9. These matters of additional discovery are necessary for the preparation of Plaintiff's case-in-chief, and her Motion for Conditional Class Certification, and will enable Plaintiffs to learn all of the facts surrounding the issues herein, and will not cause prejudice to any party.

WHEREFORE, Plaintiff prays this Court enter its order granting Plaintiffs leave to file their Supplemental Brief in Support of Plaintiff's Motion for Conditional Class Certification 30 days after Plaintiffs receive Defendant's response to written discovery, or 30 days after the

deposition of Defendant's corporate representative, whichever is later, and for such other relief as the Court deems just and proper.

DOUGLAS, HAUN & HEIDEMANN, P.C.

111 West Broadway, P.O. Box 117

Bolivar, Missouri 65613

Telephone: (417) 326-5261

Facsimile: (417) 326-2845

nduncan@bolivarlaw.com

/s/Nathan A. Duncan

By _____

Nathan A. Duncan

Missouri Bar No. 60186

Mel M. Myears

Missouri Bar No. 65067

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on April 3, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

Amanda D. Cochran
Joshua B. Christensen
Lathrop & Gage LLP
910 E St Louis St
Ste. 100
Springfield MO 65808-4288

Joel S. Allen
Melissa M. Hensley
Morgan Lewis & Bocklus, LLP
1717 Main Street
Suite 3200
Dallas TX 75201

DOUGLAS, HAUN & HEIDEMANN, P.C.

By _____ /s/ Nathan A. Duncan

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